



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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6. In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
7. Item 17 must be signed.

**Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.**

## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.*

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

#### CONFLICT OF INTEREST CODES

##### AMENDMENT

##### STATE AGENCY:

Department of Motor Vehicles

A written comment period has been established commencing on **October 19, 2001** and closing on **December 3, 2001**. Written comments should be directed to the Fair Political Practices Commission, Attention **Wayne Imberi**, 428 J Street, Suite 450, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **December 3,**

**2001.** If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Wayne Imberi/ Kevin Moen, Fair Political Practices Commission, 428 J Street, Suite 450, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Wayne Imberi**, Fair Political Practices Commission, 428 J Street, Suite 450, Sacramento, California 95814, telephone (916) 322-5660.

## **TITLE 2. STATE ALLOCATION BOARD**

### **NOTICE OF PROPOSED REGULATORY ACTION**

THE STATE ALLOCATION BOARD PROPOSES TO AMEND AND ADOPT THE FOLLOWING REGULATION SECTIONS, ALONG WITH AN ASSOCIATED FORM, TITLE 2, CALIFORNIA CODE OF REGULATIONS RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

PROPOSED AMENDMENTS TO REGULATION SECTIONS: 1859.2, 1859.51, 1859.61, 1859.91, 1859.95, AND 1859.102.

REGULATION SECTIONS PROPOSED FOR ADOPTION: 1859.104.1, 1859.104.2, AND 1859.104.3.

#### **PROPOSED AMENDMENTS TO:**

Application for Funding, Form SAB 50-04 (Revised 09/01), Referenced in Regulation Sections 1859.2, 1859.21, 1859.50, 1859.70, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, AND 1859.107.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt new regulation sections and to amend various regulation sections, along with the above-referenced form, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

#### **AUTHORITY AND REFERENCE CITATIONS**

The SAB is proposing to adopt and amend these regulations under the authority provided by Section 17070.35 of the Education Code. The proposals interpret and make specific reference to Sections 17070.35, 17070.51, 17070.51(a), and 17070.77 of the Education Code.

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The SAB adopted regulations to implement the Leroy F. Greene School Facility Act of 1998, which were approved by the Office of Administrative Law

and filed with the Secretary of State on October 8, 1999. Adoptions and amendments to these regulations are being proposed.

Existing Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments provide additional specific terms essential to these regulations.

Existing Section 1859.51 explains how new construction baseline eligibility will be adjusted and expands the components by which a new construction project's baseline eligibility will be adjusted. This Section also provides for an adjustment for new construction projects based on special day class loading standards. The proposed amendment provides a mechanism for adding pupils back into the eligibility baseline lost as a result of the Board finding a material inaccuracy.

Existing Section 1859.61 explains how modernization baseline eligibility will be adjusted. This Section also provides for an adjustment for modernization projects based on special day class loading standards. The proposed amendment provides a mechanism for adding pupils back into the eligibility baseline lost as a result of the Board finding a material inaccuracy.

Existing Section 1859.91 implements the priority point system when State funding is insufficient for new construction grants and when those grant requests that are Ready for Apportionment exceed the funding available for that purpose. This Section also delineates the manner in which the SAB implements the priority point system in order to fund new construction projects; establishes a mechanism for determining the methodology the SAB will use for allotment and apportioning new construction funding based on the highest priority point need; and provides clarity with respect to the mechanism for funding school district projects when priority points are in effect. The proposed amendments provide a system for modifying the application processing date for those school districts delayed by a key state agency (i.e., Office of Public School Construction, Division of the State Architect, California Department of Education, Department of Toxic Substances Control).

Existing Section 1859.95 addresses: 1) the acceptance of applications when School Facility Program funding is unavailable, and 2) the issues of eligibility and reimbursement for projects that are placed on information lists (waiting lists for future funding). This Section also specifies that when funds are unavailable, the date site apportionments were made for environmental hardship projects shall be their information list date. Further, this Section provides



clarity as to developing an Unfunded List based upon the project being Ready for Apportionment rather than when the application is accepted by the OPSC. The proposed amendments provide for a process in times when school district projects have insufficient priority points or funding is not available and their project approval date needs to be changed on an Unfunded List, and to reflect a non-substantive change.

Existing Section 1859.102 provides a mechanism for districts to certify that they have developed a Restricted On-going and Major Maintenance Plan. The proposed amendments provide direction to districts relative to the requirement that districts must certify that their maintenance plan has been updated and publicly approved.

Proposed adoption of Section 1859.104.1 provides direction relative to the material inaccuracy penalties based on different scenarios (i.e., prior to apportionment, after the apportionment was made but funds were not released, and after the apportionment was made and funds were released). This Section also allows for eligibility to be re-established for purposes of districts re-filing under the more stringent application process.

Proposed adoption of Section 1859.104.2 provides clarity with respect to what the new application filing process will be after a material inaccuracy has been declared.

Proposed adoption of Section 1859.104.3 provides specificity to the procedures with respect to the review of an application package.

Existing Form SAB 50-04, Application for Funding, is used when a district is seeking funding for a new construction or modernization project. It is being amended in order to maintain consistent language with Section 1859.102, noted above. This is the certification method that allows school districts to be in compliance with the statutory requirement. The revision date is being changed in every regulation section that references this form.

#### **IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the state pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

#### **ECONOMIC IMPACT**

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from

the proposed regulatory action and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact on the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the state.
- There are no costs or savings to any State agency.
- The SAB had made an initial determination that there will be no impact on housing costs.

#### **EFFECT ON SMALL BUSINESSES**

It has been determined that the adoption of the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. These regulations only apply to school districts for purposes of funding school facility projects.

#### **SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION**

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax, must be received at the Office of Public School Construction (OPSC) no later than December 3, 2001 at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions

concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones, Regulations Coordinator

Mailing Address: Office of Public School

Construction

1130 K Street, Suite 400

Sacramento, CA 95814

E-mail Address: [lisa.jones@dgs.ca.gov](mailto:lisa.jones@dgs.ca.gov)

Fax No.: (916) 445-5526

#### AGENCY CONTACT PERSONS

Questions regarding this Notice of Proposed Regulatory Action may be directed to Lisa Jones at (916) 322-1043. If Ms. Jones is unavailable, questions may be directed to the backup contact person, Dennis Boydston, at (916) 322-0327.

#### ADOPTION OF REGULATIONS

Please note that following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

#### SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

#### RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this notice.
3. A copy of the Initial Statement of Reasons

4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

#### ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

### TITLE 13. DEPARTMENT OF MOTOR VEHICLES

#### NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to adopt Section 156.00 in Article 3, Chapter 1, Division 1, Title 13 of the California Code of Regulations to implement Ch. 330, Stats. of 1999.

#### PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a hearing will be held if the department receives a written request for a public hearing from any interested person or his or her duly authorized representative, no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

#### DEADLINE FOR WRITTEN COMMENTS

Any interested person may submit written comments relevant to the proposed action to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m. on December 3, 2001, in order for them to be considered by the department before it adopts the proposed regulation.



#### AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Section 1651 of the Vehicle Code in order to implement, interpret or make specific Sections 5205.5 and 21655.9 of the Vehicle Code.

#### INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Vehicle Code Sections 5205.5 and 21655.9 allow owners of inherently low emission vehicles to apply for an exemption to use the high occupancy traffic lanes (diamond lanes) with fewer than the required number of occupants. The proposed regulation specifies that the registered owner may apply for a set of clean air vehicle decals to identify these vehicles. The regulation will give instructions for completing the application and specify the fee for the decals.

#### DOCUMENTS INCORPORATED BY REFERENCE

"Application for Clean Air Vehicle Decals" (NEW 4/2001). The form is being incorporated by reference since it is impractical and cumbersome to publish in the California Code of Regulations a form which will only be used for a specified purpose. It is anticipated that the information currently being provided by the customers will remain the same.

#### FISCAL IMPACT

- Cost or Savings to any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impacts on Representative Private Persons or Businesses: There is a charge of \$8.00 for each set of decals per vehicle.
- Effect on Housing Costs: None.

#### DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action has no effect which would have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in making this determination.
- The proposed regulatory action will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.

- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action may affect small businesses.

#### ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### CONTACT PERSON

Inquiries relevant to the proposed regulatory action should be directed to departmental representative Bonnie DeWatney, Department of Motor Vehicles, Regulations Unit, Mail Station E-244, P.O. Box 932382, Sacramento, California 94232-3820 or 916-657-8954 or e-mail bdewatney@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at 916-657-5690 or e-mail at dbaity@dmv.ca.gov. Substance questions may be addressed to either of the above contacts. The fax number for the Regulations Branch is 916-657-1204.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The department has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public, upon request, the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public, upon request, the initial statement of reasons and final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation, and other materials related to the proposed action (Rulemaking File). In addition, the above-cited materials (Notice, Initial Statement of Reasons and Express Terms) may be accessed at [www.dmv.ca.gov](http://www.dmv.ca.gov), Other Services, Legal Affairs Division, Regulatory Notices web page.

#### AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulation substantially as described in this

notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulation. Requests for copies of any modifications to the regulation should be directed to the department contact person identified in this notice. The department will accept written comments on the modified regulation for 15 days after the date on which it is first made available to the public.

### **TITLE 13. DEPARTMENT OF MOTOR VEHICLES**

#### **NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Department of Motor Vehicles, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict of Interest Code located in Title 13, Section 1 of the California Code of Regulations. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and 87306 of the Government Code.

The Department of Motor Vehicles (the department) proposes to amend its Conflict of Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The proposed amendment affects the Appendix of Designated Employee Positions by (1) adding new employee positions to the list of designated positions, (2) deleting employee positions from the list of designated positions, (3) changing the disclosure category for some existing designated positions, and (4) reflecting the reorganization and title changes of the department since the Conflict of Interest Code was last adopted.

This amendment reflects the organizational structure of the Department as of December 31, 2000. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than December 3, 2001, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or person's representative requests a public hearing, he or she must do so no later than November 16, 2001, by contacting the Contact Person set forth below.

The Department of Motor Vehicles has prepared a written explanation of the reasons for the proposed amendments (Initial Statement of Reasons) and has available the information on which the amendments are based. Copies of the proposed amendments, the Initial Statement of Reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Department of Motor Vehicles has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small business.

In making these proposed amendments, the Department of Motor Vehicles must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

Contact Person: All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Ann Myrick at the Department of Motor Vehicles, Regulations Branch, E244, PO Box 932382, Sacramento, CA 94232-3820, or at (916) 657-8857, or [amyrick@dmv.ca.gov](mailto:amyrick@dmv.ca.gov). In the absence of the department representative, inquiries may be directed Regulations Coordinator, Debbie Baity at (916) 657-5690 or [dbaity@dmv.ca.gov](mailto:dbaity@dmv.ca.gov).

### **TITLE 14. FISH AND GAME COMMISSION**

#### **NOTICE OF PROPOSED CHANGES IN REGULATIONS**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 7071 and 8587.1 of the Fish and Game Code, and to implement, interpret or make specific sections 7071, 8587 and 8587.1 of said Code, proposes to amend Section 150, Title 14, California Code of Regulations, regarding nearshore fishery permits.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

Current regulations place a moratorium on the issuance of new Nearshore Fishery Permits by making only current permittees eligible to renew the permit in subsequent seasons [Section 150, Title 14, CCR]. The proposed regulatory amendments would either simply extend these provisions one year through March 2003, or would require some evidence of prior participation in the nearshore fishery to be eligible for renewal, thereby taking an initial step toward reducing latent or nearly latent capacity in the fishery for the upcoming season, rather than in 2003 when a comprehensive restricted access program is slated for implementation.

Extending the existing moratorium defers any elimination of Nearshore Fishery Permit holders until a complete restricted access program is developed, and maintains status quo on fishery participants. This option does not immediately address a need to reduce excessive capacity in the fishery and emerging activity by previously inactive nearshore participants, yet allows for a complete public process of comprehensive meetings with all permit holders and development of several options for regional restricted access.

Alternately, by requiring that current nearshore fishery permittees demonstrate a minor amount of previous participation in the fishery in order to qualify for permit renewal, some amount of excess fishery capacity can be reduced beginning with the 2002 season in order to prevent currently inactive permit holders from becoming active before a complete restricted access program can be developed for the 2003 season. This 'minor amount' of participation is recommended to be defined as either (a) one landing or (b) landing 100 cumulative pounds of nearshore fishes for which a Nearshore Fishery Permit is required as outlined in Section 150.01, Title 14, CCR, between the dates of January 1, 1994 and December 31, 2000.

Should an extension not be authorized, the current moratorium regulations become inoperable on March 31, 2002. At this time, the nearshore fishery would become open-access, and any licensed California commercial fisherman would be eligible to purchase a Nearshore Fishery Permit.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City Council Chambers, 333 W. Ocean Boulevard, Long Beach, CA, on Friday, December 7, 2001, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before Friday, November 30, 2001, at the address given below, or by fax at (916) 653-5040, or by e-mail to [jduffy@dfg.ca.gov](mailto:jduffy@dfg.ca.gov),

but they must be received no later than December 7, 2001, at the hearing in Long Beach. E-mail comments must include the true name and mailing address of the commentor.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John M. Duffy, Assistant Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to John M. Duffy or Kathy Maxwell at the preceding address or phone number. Marci Yaremko, Marine Region, Department of Fish and Game, phone (916) 227-0798, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.dfg.ca.gov>.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

IMPACT OF REGULATORY ACTION

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, including the Ability of California Businesses to Compete with Businesses in Other States:

Each nearshore fishery permittee, buyer or processor is considered a business. The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. However, each option outlined above would generate differ-



ent economic impacts to certain sectors of the fishery and businesses which rely upon it, as outlined below.

**Option 1 (Maintain the existing moratorium by simply extending the dates and provisions of the current program as provided in Section 150 (a), Title 14, CCR)**—This alternative would not serve to reduce the number of permits, change the size, composition or activity of the existing nearshore fishery, nor does it impose further constraints on catch. Therefore, this measure would not impact the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California, nor would it have a cost impact on private persons.

**Option 2A (One landing requirement during the period 1994 through 2000)**— This alternative constrains nearshore fishery participants to individuals with demonstrated nearshore catch during the subject period. Consequently, this will result in approximately 109 permittees losing their eligibility for renewal during the 2002–2003 season. However, this alternative will not change the numbers of active nearshore participants nor is it anticipated that there would be any change or adverse impact to current jobs or businesses in the state. Current permittees with no history of nearshore landings are not considered to be employed in nearshore fishing activities that result in payment for their goods or services. Nonetheless, since individuals with no past history of landings could make landings in the future, there will be some unknown measure of lost future opportunities, or revenue potential, for permittees excluded by the one-landing requirement.

**Option 2B (Minimum 100 pound cumulative landings during the period 1994 through 2000)**—This alternative would eliminate approximately 190 nearshore permittees from future participation that have made minimal or no landings during a recent 7 year period. Total combined nearshore landings by these permittees each year averages less than 387 pounds, generating approximately \$947 in revenue paid to these fishermen for their catch, which would amount to an average lost revenue of approximately \$4.06 per year per eliminated permittee. This reduction in permittees and revenues would result in an annual economic loss of approximately \$1,825 to the state (based on a statewide final output demand multiplier of 1.9267)(\$947 per permittee x 1.9267 = \$1,825), and a projected loss of 0.01 jobs statewide in addition to lost future nearshore

fishery opportunities for permittees not meeting the minimum landings criteria. This level of economic impact is not considered by the Department to be significant, and it is anticipated that there would be no resulting change or adverse impact to current jobs or businesses in the state.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: See Section (a).
- (c) Cost Impacts on a Representative Private Person or Business: See Section (a).
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

#### EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

#### CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

## TITLE 20. CALIFORNIA ENERGY COMMISSION

### NOTICE OF PROPOSED ACTION

#### FOR ADOPTION OF PROCEDURAL CLARIFICATIONS TO THE ENERGY COMMISSION'S POWER PLANT SITING REGULATIONS

Docket No. 01-SIT-1

The California Energy Commission ("Commission") proposes to adopt procedural clarifications to its regulations for Applications for Certification in Title 20, California Code of Regulations. The proposed actions are taken under the authority of sections 25213 and 25218(e) of the Public Resources Code.

These regulations would implement, interpret, and make specific various sections of the Warren-Alquist Act. (Public Resources Code, sections 25000 et seq.)

The Energy Commission distributed initial proposed changes to its regulations for public comment and discussion at a workshop on July 23, 2001. Based on the public comment received in writing and at the workshop, several of the originally-proposed amendments have changed substantially, and are now essentially clarifications of existing practice.

#### NOTICE THAT A PUBLIC HEARING IS SCHEDULED

The date set for the adoption of regulations at a public hearing is as follows:

Commission Business Meeting  
December 19, 2001, beginning at 10:00 a.m.  
California Energy Commission  
Hearing Room A  
1516 9th Street  
Sacramento, CA 95814  
Hearing Room A is wheelchair-accessible.

#### ORAL AND WRITTEN STATEMENTS

Interested persons may present oral and written statements about the proposed regulations at the hearing, or may submit written comments to the Commission on or prior to December 3, 2001 by mailing them to:

Docket Unit  
California Energy Commission  
Docket No. 01-SIT-1  
1516 9th Street, MS-4  
Sacramento, CA 95814  
Or e-mailing them to: [DOCKET@energy.state.ca.us](mailto:DOCKET@energy.state.ca.us)  
Or faxing them to Dockets at (916) 654-4354

#### COPIES OF THE INITIAL STATEMENT OF REASONS AND THE TEXT

The Commission has prepared an initial statement of reasons for the proposed regulations. To obtain a copy of the initial statement of reasons or the express terms, please contact Richard Buell at (916) 653-1614 or by e-mail at [rbuell@energy.state.ca.us](mailto:rbuell@energy.state.ca.us). Additionally, the Commission has available all the information upon which the proposed regulations are based; to obtain copies, please contact the Docket Office at the above address or by calling (916) 654-5076.

#### INTERNET ACCESS

The Energy Commission's website will contain materials regarding this rulemaking proceeding. It can be accessed at the following address: <http://www.energy.ca.gov/siting/rulemaking/index.html>.

#### COPY OF THE FINAL STATEMENT OF REASONS

At the conclusion of the rulemaking, persons may obtain a copy of the final statement of reasons by contacting Richard Buell at (916) 653-1614 or by e-mail at [rbuell@energy.state.ca.us](mailto:rbuell@energy.state.ca.us).

#### POSSIBLE CHANGES

If the Commission considers changes to the proposed regulations pursuant to Government Code section 11346.8, and the changes are sufficiently related to the original text and within the scope of this Notice, a full copy of the text will be available for review at least 15 days prior to the date on which the Commission adopts or amends the resulting regulations.

#### PUBLIC ADVISOR

The Commission's Public Advisor's Office is available to assist any person who wishes to participate in this proceeding. For assistance from the Public Advisor's Office, please call (916) 654-4489 or toll-free in California at (800) 822-6228.

#### CONTACT PERSONS

Inquiries concerning all aspects, including the substance of the proposed regulations should be directed to Richard Buell, Project Manager, at (916) 653-1614 or by e-mail at [rbuell@energy.state.ca.us](mailto:rbuell@energy.state.ca.us).

Mr. Buell's designated backup contact person is Chris Tooker, who can be reached at (916) 653-1634.

#### INFORMATIVE DIGEST

The Warren-Alquist State Energy Resources Conservation and Development Act (Public Resources Code Section (PRC) 25000 et seq.) created the Commission and vested it with a wide range of duties and responsibilities related to the development and conservation of energy resources in California. Included in the Commission's responsibilities is the siting of thermal electric generating facilities of 50 megawatts (MW) or greater generating capacity.

The proposed amendments would clarify and update the siting process by making the following changes:

#### **Sections 1212(c) and 1712(b): Clarifying the Powers of the Presiding Committee Member and Rights of Intervenors**

The Presiding Member has authority under section 1203(c) to regulate the conduct of siting case hearings, including admitting or excluding evidence based upon relevancy.

The proposed amendments to sections 1212(c) and 1712(b) would clarify that the Presiding Member's existing authority applies to these sections, including the power to determine "relevancy".

Section 1712(b) would also be amended to further clarify the rights of intervenors.



**Clarifying the Noticing Requirements for Workshops**

Existing section 1710 requires all meetings, workshops, conferences, etc. to be open to the public, but provides for a narrow exception for the informal exchange of information between an applicant and the staff or their discussion of procedural issues. The proposed amendment to section 1710(a) would clarify the circumstances under which public notice is required and not required. It would expand the exception to apply to all parties. The proposed amendment would also clarify that all discussions with the staff regarding substantive issues relative to recommendations and conditions must be publicly noticed.

Existing section 1710(h), which currently allows informal exchanges of information and procedural discussions only between an applicant and the staff without notice, would be repealed. The substance of this provision, expanded to apply to all parties would be placed in the amended section 1710(a). The term "information" would be defined for the first time. Further clarification would be provided to allow staff meetings with other governmental agencies, other than parties, without public notice.

Other portions of section 1710 would be clarified to specify that they apply only to publicly noticed events, and to delete duplicative language regarding continuances.

Conforming changes would also be made to section 1718. This includes allowing for greater flexibility in the location of public workshops in section 1718(b).

**Clarifying the Role of Commission Staff in Relationship to Other Agencies.**

Commission staff currently tries to avoid duplication, normally relying upon the comments of other agencies submitted in accordance with a variety of regulations, including sections 1714, 1714.3, and 1714.5. As an independent party and pursuant to the Commission's lead agency authority under the California Environmental Quality Act, staff may also disagree with any agency comment or recommendation.

The proposed amendment adding section 1714.5(d) would clarify existing Commission staff policy to give due deference to agency comments regarding conformance of a proposed powerplant to an agency's own laws, ordinances, and standards. As is the case now, staff would not be bound by any such comment it considered to be erroneous on the merits.

**Deleting Outdated Language on Demand Conformance**

The Legislature has repealed the requirement that the Commission make a finding regarding "need" for

a power plant in its final decision. Demand conformance is thus no longer even considered as part of the licensing process. However, several regulations pertaining to demand conformance findings and requirements remain. None of these provisions currently have any regulatory effect. The proposed amendments would delete them from sections 1741(b)1, 1748(d), and 1752(a).

**Clarifying Applicability of the Existing Six-Month AFC Regulations**

The Energy Commission adopted regulations beginning at section 2021 that implement the six-month AFC process created by the Legislature in Public Resources Code section 25550. Section 2021(b) currently states that it applies to applications filed pursuant to Public Resources Code section 25550.

Subsequently, the Legislature essentially created another six-month AFC statute at Public Resources Code section 25550.5 for repowering projects, where existing powerplants are modernized. This statute is similar to Public Resources Code section 25550.

The proposed amendment would eliminate any possible confusion by specifying that the six month AFC process beginning at section 2021 also applies to repowering projects filed under Public Resources code section 25550.5.

**Minor Clarifications and Corrections**

The proposed amendments would also make a number of minor, non-substantive corrections and clarifications to the siting regulations.

**NO INCORPORATION BY REFERENCE**

The proposed regulations would not incorporate any documents by reference.

**SMALL BUSINESS IMPACTS**

The Commission concludes that the proposed regulations would not affect small business. The proposed regulations would be purely procedural clarifications and would impose no requirements upon any business. Improvements and clarifications to the Commission's siting process will benefit the entire state, including small business, by helping to solve California's electricity shortage problem.

**LOCAL MANDATE DETERMINATION**

If adopted, the proposed regulations would not impose a mandate on local agencies or school districts.

**COST/SAVINGS ESTIMATE**

There would be no costs or savings to any state agency, and no costs to any local agencies or school districts that are required to be reimbursed under Government Code section 17500 et seq., resulting from the proposed regulations. There would be no

other non-discretionary cost or savings imposed on local agencies and no cost or savings in federal funding to the state.

#### **INITIAL DETERMINATION—ECONOMIC IMPACT ON BUSINESSES**

The California Energy Commission hereby declares that it has made an initial determination that the proposed procedural changes to the siting regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based upon (1) the fact that the proposed regulations would merely clarify Energy Commission procedures, and result in no additional burdens, duties, or costs upon powerplant applicants; and (2) the Commission and its staff are unaware of any legitimate cause and effect relationship between the proposed procedural clarifications and a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Energy Commission believes any clarifications and procedural efficiencies resulting from the proposed regulations would assist in the prompt licensing of powerplants in accordance with the Commission's statutory responsibilities and the Governor's Executive Orders.

#### **ASSESSMENT REGARDING JOBS AND BUSINESSES**

The Commission's assessment is that the proposed procedural clarifications to the siting regulations would have no effect on the creation or elimination of California jobs and no effect on the creation of new business or the elimination or expansion of existing business within California. The number of powerplants applied for, licensed, and then built would not be changed by the proposed regulations.

The proposed regulations would require no new reports.

#### **POTENTIAL FOR ADVERSE IMPACTS ON BUSINESS AND INDIVIDUALS**

The Commission's assessment is that the proposed procedural clarifications to the siting regulations would have no potential for adverse economic impact on California business enterprises and individuals.

The Commission's further assessment is that the proposed actions would avoid the imposition of unnecessary or unreasonable regulations or reporting, recordkeeping, or compliance requirements. The proposed procedural clarifications would include no reporting, recordkeeping, or compliance requirements of any kind.

#### **CONSIDERATION OF ALTERNATIVE PROPOSALS**

Before adopting the proposed regulations, the Commission must determine that no reasonable alternative considered by it, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. To date the Commission is not aware of any alternatives that would be more effective and/or less burdensome than the proposed regulations.

#### **IMPACT ON HOUSING COSTS**

If adopted, the proposed regulations would not have an effect on housing costs.

#### **COST IMPACT ON PRIVATE PERSONS AND BUSINESSES**

The Energy Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### **RELATIONSHIP TO FEDERAL REGULATIONS**

There are no comparable federal regulations or statutes to the Energy Commission's procedural requirements for licensing power plants in California. Furthermore, no federally mandated regulation or amendment is being proposed.

#### **STATUTORY AUTHORITY AND REFERENCE**

Authority: Sections 25213, 25218(e), Public Resources Code.

Reference: Sections 21081, 25210, 25214, 25216.5(a), 25217(b), 25500, 25519, 25521, 25523, 25550 and 25550.5, Public Resources Code.

## **TITLE 22. DEPARTMENT OF CHILD SUPPORT SERVICES**

### **NOTICE OF PROPOSED ACTION**

#### **CASE INTAKE PROCESS**

##### **Proposed Permanent Regulations**

NOTICE IS HEREBY GIVEN that the Department of Child Support Services (DCSS) has adopted these regulations on an emergency basis effective September 10, 2001; and now proposes to adopt them as permanent regulations amending Division 13 of Title 22 of the California Code of Regulations commencing with Section 110041. These regulations establish a standard process for the initiation of child support services cases.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

Federal law, 42, U.S.C., Section 654, requires, in part, that a state plan for child and spousal support must provide as follows:

- Paragraph (4) requires the provision of services relating to the establishment of paternity or the establishment, modification, or enforcement of child support obligations for children receiving assistance under Title IV-A, (California Work Opportunity and Responsibility to Kids (CalWORKs) program, Title IV-E, (foster care), and Title XIX, (Medi-Cal), and any other child, if an individual applies for such services for the child. This paragraph also requires cooperation, as specified, unless good cause or other exceptions exist.
- Paragraph (25) requires the continuance of Title IV-D services to a CalWORKs recipient who becomes ineligible for public assistance and prohibits requiring an application for services.
- Paragraph (26) requires safeguards designed to protect the privacy rights of parties including requirements when there is reasonable evidence of domestic violence or child abuse against a party or a child and disclosure of information could be harmful.
- Paragraph (29) requires a determination as to whether an individual who has applied for or is receiving assistance under Title IV-A, Title IV-E, or Title XIX, is cooperating to establish paternity, or to establish, modify, or enforce a support order; requires specific actions by an individual that demonstrate his/her cooperation; and requires notification to the appropriate entity if noncooperation is determined.

Federal law, 42, U.S.C., Sections 653 and 663, prohibits the unauthorized disclosure of child support case information by the expanded Federal Parent Locator Service if a state has evidence of domestic violence or child abuse.

Federal regulation, 45, Code of Federal Regulations (CFR), Section 302.33, requires agencies administering Title IV-D of the Social Security Act to make available those services established under the state plan to individuals who file an application for services, and to individuals who are Medically Needy Only (Medi-Cal) recipients, CalWORKs recipients, or foster care recipients. This regulation also prohibits states from requiring an application from recipients of CalWORKs, Medi-Cal, or foster care, and requires notification that Title IV-D services will be continued, if a recipient ceases to be eligible to receive public

assistance, unless the recipient notifies the local child support agency to the contrary.

Federal regulation, 45, CFR, Section 303.2, specifies the activities that must be performed by Title IV-D agencies in establishing cases and maintaining case records. These federal regulations: (1) require applications for child support services be made readily accessible to the public; (2) specify the time frame within which applications and other information must be provided to those who make written or telephone requests for services, or are referred for services; (3) specify the time frame within which an application is determined to be filed; (4) specify the time frame within which a case must be opened after receipt of a referral, or a signed application for services; (5) require the solicitation of additional information from specified sources; (6) require the initiation of activities to locate absent parents; and (7) specify the information that must be included in the case record.

Federal regulations, 45, CFR, Sections 302.31, 302.80, 303.30 and 303.31, specify various provisions related to securing and enforcing medical support.

State law, Section 17402, Family Code (FC), specifies that a noncustodial parent or parents is/are obligated to the county for an amount of child support as established by the statewide uniform guideline.

State law, Section 17405, FC, requires local child support agencies to interview a custodial parent within 10 business days of opening a child support case, and to reinterview the custodial parent as needed. This statute also specifies the information that must be solicited during the interview and the timeframe within which action must be taken based upon that information.

State law, Section 17406(c), FC, requires the local child support agency or Attorney General to give notice to individuals requesting services or on whose behalf services have been requested, that the local child support agency or Attorney General does not represent the children in the case and that no attorney-client relationship exists or will exist, and specifies the time frames within which the notice must be provided.

State law, Section 17415, FC, requires the county welfare department to refer all cases where a parent is absent from the home, or where the parents are unmarried and paternity has not been established, to a local child support agency at the time the applicant applies for public assistance, and specifies the actions a local child support agency is required to take after such referral is made.

These regulations interpret, make specific, or implement the state and federal laws and regulations



cited above and make the following changes to Title 22, California Code of Regulations:

**Chapter 1. Program Administration.**

- Sections 110041, 110042, 110098, 110284, 110299, 110428, 110430, 110431, 110473, 110539 and 110609 were adopted to define terms of general applicability necessary for the administration of the child support program.
- Sections 110042, 110431, and 110609 have been amended to clarify the meaning of the term or to update the reference citations.

**Chapter 2. Case Intake.**

**Article 1. Definitions.**

- Sections 112002, 112015, 112025, 112034 and 112035 were adopted to define terms specific to the case intake process.

**Article 2. Application and Referral.**

- Section 112100 was adopted to specify the general requirements for the application and referral processes for child support services.
- Section 112110 was adopted to specify the forms that are included in the application package for child support services.

**Article 3. Case Opening Requirements.**

- Section 112130 was adopted to specify the requirements and timeframe for the establishment of a case record.

**Article 4. Case Processing.**

- Section 112140 was adopted to specify the requirements and timeframes for conducting interviews with custodial parties or noncustodial parents.
- Section 112150 was adopted to specify the requirements for processing cases involving CalWORKs referrals.
- Section 112152 was adopted to specify the requirements for processing cases involving Medically Needy Only referrals.
- Section 112154 was adopted to specify the requirements for processing cases involving foster care referrals.

**Article 5. Cooperation.**

- Section 112200 was adopted to require local child support agencies to determine cooperation from CalWORKs and Medically Needy Only recipients and to specify the activities in which those recipients are required to participate.
- Section 112210 was adopted to specify the actions local child support agencies are required to take when good cause has been determined.

**Article 6. Family Violence.**

- Sections 112300, 112301, and 112302 were adopted to specify the requirements and procedures to screen for family violence and activate a family violence indicator.

Manual of Policies and Procedures (MPP) Sections 12-103.1 through 12-103.24, 12-110 and 12-220 have been repealed because the regulatory provisions previously contained in those sections have been modified and relocated to Articles 2 through 5 of Chapter 4.

These regulations establish requirements for, and incorporate by reference, the following forms:

**Chapter 2. Case Intake.**

**Article 2. Application and Referral.**

1. "Application for Support Services," CSS 2101, dated (09/01/01).
2. "Information Regarding the Application for Support Services Package," CSS 2103, dated (09/01/01).
3. "Child Care Verification," CSS 2105, dated (09/01/01).
4. "Visitation Verification," CSS 2107, dated (09/01/01).
5. "Declaration of Support Payment History," CSS 2109, dated (09/01/01).
6. "Health Insurance Information," CSS 2111, dated (09/01/01).
7. "Request for Support Services," CSS 2115, dated (09/01/01).
8. "Child Support Services Program Notice," CS 196, dated (5/01).
9. "Attestation Statement," Form CS 870, dated (01/00).

**Article 6. Family Violence.**

1. "DVCLR #1" CSS 2140, dated (09/01/01).
2. "DVCLR #2" CSS 2144, dated (09/01/01).

**AUTHORITY AND REFERENCE CITATIONS**

**AUTHORITY:** Sections 17306, 17310 and 17312, of the Family Code.

**REFERENCE:** Sections 3750, 3751, 4062, 4063, 4926, 6209, 17000, 17212, 17306, 17310, 17312, 17400, 17402, 17405, 17406, 17415, 17800 and 17801, Family Code; 602, 653, 654, 663 and 666, 42 United States Code; Sections 11477, 11477.02, 11478.1 and 14008.6, Welfare and Institution Code; and 45, Code of Federal Regulations, Sections 301.1, 302.15, 302.31, 302.33, 302.35, 302.80, 303.2, 303.11, 303.15, 303.30, 303.31, 303.69.

**PUBLIC COMMENT PERIOD**

Written public comments presenting statements, arguments, or contentions relating to the text of the proposed regulations will be accepted for a period of forty-five (45) days beginning on October 19, 2001 and ending at 5 p.m. on December 3, 2001. Public comments will be accepted by any of the following means:

1. Mailed to:  
Dept. of Child Support Services  
Attn: Regulations Coordinator  
P.O. Box 419064  
Rancho Cordova, CA 95741-9064
2. Faxed to:  
Dept of Child Support Services  
Attn: Regulations Coordinator  
(916) 464-5069
3. E-mailed to the Regulations Coordinator:  
Lucila.Ledesma@dcss.ca.gov

**PUBLIC HEARING**

No public hearing is scheduled. Pursuant to the provisions of Government Code Section 11346.8, any interested party may request that a public hearing be scheduled. The request must be in writing and received at the above addresses for the DCSS Regulations Coordinator no later than fifteen (15) days prior to the close of the public comment period.

**CONTACTS**

Copies of documents and general information regarding this rulemaking may be secured by contacting Lucila Ledesma the Regulations Coordinator at 916-464-5087.

In case you are unable to reach the Regulations Coordinator, the DCSS alternative contact person for general information about this rulemaking is Donna Hershkowitz at 916-464-5181.

If you have a substantive question regarding the content of this rulemaking, you may contact Sandra Poole of the DCSS Policy Division at 916-464-5055 or Nancy Hutchison of the DCSS Policy Division at 916-464-5098.

**HOW TO GET COPIES OF  
RULEMAKING DOCUMENTS**

Copies of the full text of the proposed regulations, an initial statement of reasons, and all information on which this rulemaking is based may be secured from the DCSS Regulations Coordinator at the above addresses. These documents are also available on the Department's public website at [www.childsup.cahwnet.gov/](http://www.childsup.cahwnet.gov/).

The full text of a regulation changed pursuant to Government Code Section 11346.8 will be available

for at least fifteen (15) days prior to the date on which DCSS adopts the resulting regulation. During that period, it may also be secured from the DCSS Regulations Coordinator at the above addresses.

Once the final statement of reasons becomes available it may also be secured from the contact persons identified above or from the DCSS public website at [www.childsup.cahwnet.gov/](http://www.childsup.cahwnet.gov/).

**IMPACT ON INDIVIDUALS AND BUSINESSES**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Department has made an initial determination that these regulations would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The Department has determined that these regulations would not significantly affect the following:

- (1) The creation or elimination of jobs within the State of California.
- (2) The creation of new businesses or the elimination of existing business within the State of California.
- (3) The expansion of businesses currently doing business within the State of California.

The Department has determined that these regulations would not affect small businesses. Small business would not be required to comply with or enforce these regulations nor are they expected to incur either benefits or detriments from them. The focus of the regulations is the imposition of requirements on local government.

**LOCAL MANDATE**

The Department has determined that the regulations would not impose a mandate on local agencies or school districts.

**FISCAL IMPACTS**

- A. Fiscal Effect on Local Government: None.
- B. Cost or Savings to Any State Agency: None.
- C. Cost or Savings in Federal Funding to the State: None.
- D. Other Nondiscretionary Costs or Savings Imposed on Local Agencies: None.

**IMPACT ON HOUSING COSTS**

The Department has determined that these regulations will have no impact on housing costs.

**CONSIDERATION OF ALTERNATIVES**

The Department must determine that no reasonable alternative considered by the Department or that has



otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which these regulations are being implemented or would be as effective and less burdensome to affected private persons than these regulations.

## **TITLE 22. DEPARTMENT OF CHILD SUPPORT SERVICES**

### **NOTICE OF PROPOSED ACTION**

#### **PROGRAM ADMINISTRATION— ADMINISTRATIVE REPORTING & QUALITY CONTROL— PERFORMANCE STANDARDS**

#### **Proposed Permanent Regulations**

NOTICE IS HEREBY GIVEN that the Department of Child Support Services (DCSS) has adopted these regulations on an emergency basis effective September 6, 2001; and now proposes to adopt them as permanent regulations amending Division 13 of Title 22 of the California Code of Regulations commencing with Section 111900. These regulations require local child support agencies to submit certain administrative reports and collect specified data for measurement of performance in the local delivery of child support services.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

#### Administrative Reporting

Title 42 of the United State Code, at Sections 652(a) and (g) and 669, requires the Secretary of the federal Department of Health and Human Services (DHHS) to establish administrative reporting requirements for an effective child support program. This information will enable DHHS to compute individual State incentive and outcome measures to be used in evaluating California's performance in operating a child support services program. Federal regulations, 45 Code of Federal Regulations, Section 302.15(a) establish a federal requirement for states to periodically report collection and distribution as well as service activity information to the federal government. Failure to comply with these requirements will result in a reduction of federal funding.

To enable the State of California to comply with federal reporting requirements regarding the effectiveness of the California child support program, state law at Family Code Section 17600 requires each local child support agency to report to the California Department of Child Support Services (DCSS), quarterly and annually, a variety of collection and

distribution data as well as service activity statistics for the local child support program.

#### Performance Measures

Federal law at Title 42 of the United States Code, Sections 652(g) and 658(a), establishes federal performance measures required to be reported by States regarding the child support program services in the state.

DCSS must collect the performance measurement data required by the federal government. Additionally, Family Code Sections 17600 and 17602 require DCSS to adopt other statewide performance measures to determine local child support agency performance.

This rulemaking interpreted, implemented, or made specific the state and federal laws and regulations cited above. It also made the following changes to Division 13 of Title 22, California Code of Regulations:

#### **Chapter 1. Program Administration.**

- Section 111900 was adopted to establish the general requirement for each local child support agency to submit data to the department.
- Section 111910 was adopted to identify collection and distribution report requirements.
- Section 111920 was adopted to identify all required activity and statistical reports to be reported to the department on a quarterly, state fiscal year and federal fiscal year basis.

#### **Chapter 11. Quality Control.**

- Section 121100 was adopted to establish the general requirement for each local child support agency submit performance measure data to the department.
- Section 121120 was adopted to specify the state performance measures which must be reported.
- Section 121140 was adopted to specify the federal performance measures which must be reported.

This rulemaking also made the following changes to the Department of Social Services, Manual of Policies and Procedures:

#### **Division 12 Administrative Standards for State IV-D Agency**

- Section 12-435, Child Support Collections and Distributions Regulations, was repealed.

#### **AUTHORITY AND REFERENCE CITATIONS**

**AUTHORITY:** Sections 17306, 17310 and 17312, Family Code.

**REFERENCE:** Sections 17600 and 17602, Family Code; 42, U.S.C., Sections 652, 655, 658a; and 669; 45 CFR, Section 302.15.

**PUBLIC COMMENT PERIOD**

Written public comments presenting statements, arguments, or contentions relating to the text of the proposed regulations will be accepted for a period of forty-five (45) days beginning on October 19, 2001 and ending at 5 p.m. on December 3, 2001. Public comments will be accepted by any of the following means:

1. Mailed to:  
Dept. of Child Support Services  
Attn: Regulations Coordinator  
P.O. Box 419064  
Rancho Cordova, CA 95741-9064
2. Faxed to:  
Dept. of Child Support Services  
Attn: Regulations Coordinator  
(916) 464-5069
3. E-mailed to the Regulations Coordinator:  
Lucila.Ledesma@dcss.ca.gov

**PUBLIC HEARING**

No public hearing is scheduled. Pursuant to the provisions of Government Code Section 11346.8, any interested party may request that a public hearing be scheduled. The request must be in writing and received at the above addresses for the DCSS Regulations Coordinator no later than fifteen (15) days prior to the close of the public comment period.

**CONTACTS**

Copies of documents and general information regarding this rulemaking may be secured by contacting Lucila Ledesma the Regulations Coordinator at 916-464-5087.

In case you are unable to reach the Regulations Coordinator, the DCSS alternative contact person for general information about this rulemaking is Donna Hershkowitz at 916-464-5181.

If you have a substantive question regarding the content of this rulemaking, you may contact Rick Stewart at 916-464-5266.

**HOW TO GET COPIES OF  
RULEMAKING DOCUMENTS**

Copies of the full text of the proposed regulations, an initial statement of reasons, and all information on which this rulemaking is based may be secured from the DCSS Regulations Coordinator at the above addresses. These documents are also available on the Department's public website at [www.childsup.cahwnet.gov/](http://www.childsup.cahwnet.gov/).

The full text of a regulation changed pursuant to Government Code Section 11346.8 will be available

for at least fifteen (15) days prior to the date on which DCSS adopts the resulting regulation. During that period, it may also be secured from the DCSS Regulations Coordinator at the above addresses.

Once the final statement of reasons becomes available it may also be secured from the contact persons identified above or from the DCSS public website at [www.childsup.cahwnet.gov/](http://www.childsup.cahwnet.gov/).

**IMPACT ON INDIVIDUALS AND BUSINESSES**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulations.

The Department has made an initial determination that the regulations would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. These regulations impose various reporting requirements on local child support agencies which are departments of County administrations.

The Department has determined that the regulations would not significantly affect the following:

- (1) The creation or elimination of jobs within the State of California.
- (2) The creation of new businesses or the elimination of existing businesses within the State of California.
- (3) The expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations would not affect small businesses. Small business would not be required to comply with or enforce these regulations nor are they expected to incur either benefits or detriments from them. The focus of the regulations is the imposition of reporting requirements on local government.

**LOCAL MANDATE**

The Department has determined that the regulations would not impose a mandate on local agencies or school districts.

**FISCAL IMPACTS**

- A. Fiscal Effect on Local Government: None.
- B. Cost or Savings to Any State Agency: None.
- C. Cost or Savings in Federal Funding to the State: None.
- D. Other Nondiscretionary Costs or Savings Imposed on Local Agencies: None.

### IMPACT ON HOUSING COSTS

The Department has determined that these regulations will have no impact on housing costs.

### CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which these regulations are being implemented or would be as effective and less burdensome to affected private persons than these regulations.

## GENERAL PUBLIC INTEREST

### DEPARTMENT OF FISH AND GAME

#### Consistency Determination Fish and Game Code Section 2080.1 CESA No. 2080-2001-039-03

**Project:** Mountain House Golf Course  
**Location:** Byron, Alameda County  
**Requester:** Danville Land and Development Company, LLC

#### BACKGROUND

On August 21, 2001 the U.S. Fish and Wildlife Service (Service) issued Biological Opinion No. 1-1-00-F-0145 for the Mountain House Golf Course Project describing the project actions and setting forth measures to mitigate impacts to the San Joaquin kit fox (*Vulpes macrotis mutica*) and its habitat. This species is listed under the California Endangered Species Act, Fish and Game Code Sections 2050 et seq (CESA). On September 7, 2001, the Director of the Department of Fish and Game (Department) received a notice from Judy Bendix, representing Danville Land and Development Company, LLC (Requester), requesting a determination pursuant to Section 2080.1 of the Fish and Game Code that the federal Biological Opinion is consistent with CESA.

The proposed project consists of the development of an 18-hole golf course, club house, cart barn, maintenance buildings, office, driving range, and caretaker's dwelling on the project site. The proposed Mountain House Golf Course project is located on a 139.83-acre site at 15000 Altamont Pass Road, in an unincorporated area of eastern Alameda County, on the east side of the Altamont Hills. The site is

approximately one-half mile west of the intersection of Grant Line Road and Altamont Pass Road, and approximately one-half mile north of Highway 580. The grading of 72.9 acres of grassland will result in the temporary loss of 33.9 acres and permanent loss of 39 acres of San Joaquin kit fox habitat.

#### DETERMINATION

After reviewing the above-referenced biological opinion and other relevant documents, the Department has determined that Biological Opinion No. 1-1-00-F-0145 is consistent with CESA because the project and mitigation measures as described in the opinion meet the conditions set forth in Fish and Game Code Section 2081 (b) and (c) for authorization of incidental take of species protected under CESA. Important to the Department's determination are several measures from the Biological Opinion that address expected or potential impacts to San Joaquin kit fox. These include, but are not limited to, the following:

1. Ninety-six (96) acres of the project site, including the 100-foot setback to the creek, ponds, wetlands, and adjacent uplands, will be preserved in perpetuity. A conservation easement for this area will be deeded to the County of Alameda. The management of this area will be regulated by deed restrictions and by a management plan developed for this area, which can be incorporated into the Golf Course Operation Plan.
2. One hundred and eighteen acres of suitable San Joaquin kit fox habitat will be acquired off-site to compensate for the loss of habitat from the proposed action. Off-site compensation is proposed on the Rustan property (Figure 3 in the Biological Opinion) in San Joaquin County. Prior to ground disturbance, the applicants will provide a signed and certified copy of the conservation easement and an approved management plan, with sufficient endowment to fund its implementation.
3. The hours of operation of the golf course, including all maintenance of the grounds, shall be conducted only between sunrise and sunset to minimize disturbance to listed species.
4. Conservation measures identified in the Service's *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* shall be fully implemented.

Pursuant to Section 2080.1 of the Fish and Game Code, with this determination the Requester will not need to obtain authorization pursuant to CESA for take of San Joaquin kit fox in carrying out the Project as described in the biological opinion. A new consistency determination or a CESA incidental take authorization must be obtained from the Department if the Project as described in the biological opinion, including mitiga-

tion or conservation requirements set forth in the biological opinion, are changed after the date that appears below.

Although not a condition of the Biological Opinion, the Department requests that copies of the annual or periodic monitoring reports and other circulated materials relevant to the project's effects on San Joaquin kit fox be submitted to the Department's Central Coast Regional Office at 7329 Silverado Trail, Yountville CA 94599.

**DEPARTMENT OF  
HEALTH SERVICES**

**TITLE:** PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT FOR FEDERAL FISCAL YEAR (FFY) 2002

**ACTION:** NOTICE OF HEARINGS FOR PROPOSED FUNDINGS

**SUBJECT**

The United States Department of Health Services has made funds available to the California Department of Health Services (CDHS) for the development and implementation of programs and activities to decrease the morbidity and mortality that results from preventable disease and injury. The purpose of this hearing is to discuss and receive comments on the State's recommendations for the use of these funds during State Fiscal Year 2001–2002 (FFY 2002).

**PUBLIC HEARING PROCESS**

Notice is hereby given that CDHS will hold a public hearing commencing at 9:00 a.m. on November 15, 2001, in the auditorium at 601 North 7th Street, Sacramento, California, at which time any person may present statements or arguments orally or in writing relevant to the action described in this notice. The Chronic Disease Control Branch, CDHS, 601 North 7th Street, MS 725, P.O. Box 942732, Sacramento, Ca, 942732-7320, must receive any written statements or arguments by 5:00 p.m., on November 15, 2001, which is hereby designated as the close of the written comment period. It is requested, but not required, that written statements or arguments be submitted in triplicate.

**CONTACT**

Inquiries concerning the action described in this notice may be directed to Mrs. Marcia Levy-Rosenstein, Prevention 2010 Coordinator, Chronic Disease Control Branch, at (916) 327-6985. In any such inquiries, please identify the action by using the Department Control letters "PHHSBG".

**AVAILABILITY OF INFORMATION  
FOR REVIEW**

The State Plan will be available for review at 601 North 7th Street, Sacramento, California, from 8:00 a.m. to 5:00 p.m., October 5 through November 15, 2001.

**DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL**

**HOUSEHOLD HAZARDOUS WASTE UNIT  
STATE REGULATORY PROGRAMS DIVISION  
PUBLIC NOTICE FOR VARIANCE ISSUANCE**

On September 25, 2001, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued an agricultural oil collection variance to San Diego County. Authority for this action is contained in Health and Safety Code (HSC), section 25143. The variance authorizes a one time collection of agricultural waste oil accumulations of up to 550 gallons per qualified grower by registered hazardous waste hauler under a hazardous waste manifest. Standards exempted are contained in HSC, sections 25201 and 25218.3(b). Transported waste is shipped in accordance with federal Department of Transportation, California Highway Patrol, and California Vehicle Code requirements. For additional information contact Lee Halverson at the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.

**HOUSEHOLD HAZARDOUS WASTE UNIT  
STATE REGULATORY PROGRAMS DIVISION  
PUBLIC NOTICE FOR VARIANCE ISSUANCE**

On September 25, 2001, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued a conditionally exempt small quantity generator (CESQG) transportation and manifesting variance renewal to San Joaquin County. Authority for this action is contained in Health and Safety Code (HSC), section 25143. The variance authorizes San Joaquin County household hazardous waste collection facilities to accept, and qualified businesses to transport, up to 100 kilograms (220 pounds/27 gallons) of hazardous waste or 1 kilogram of acutely/extremely hazardous waste at one time per month without meeting registered transporter or hazardous waste manifest requirements. Standards exempted are contained in HSC, sections 25163(a) and 25160 respectively. Transported waste is shipped in accordance with federal Department of Transportation, California Highway Patrol, and California Vehicle Code requirements. For additional information contact Lee Halverson of at the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.



**PROPOSITION 65****CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY  
OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT****SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986  
(PROPOSITION 65)****NOTICE OF INTENT TO LIST CHEMICALS**

October 19, 2001

The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) provides two mechanisms for administratively listing chemicals which are known to the State to cause cancer or reproductive toxicity (Health and Safety Code Section 25249.8(b)). One such mechanism by which a chemical may be listed is if a body considered to be authoritative by the state's qualified experts has formally identified it as causing cancer or reproductive toxicity. The following are identified as authoritative bodies for purposes of Proposition 65 as it pertains to chemicals known to cause cancer: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer, the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program. The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations (22 CCR), Section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency intends to list naphthalene as known to the State to cause cancer, pursuant to this administrative mechanism as provided in Health and Safety Code Section 25249.8(b) and 22 CCR, Section 12306.

Relevant information on naphthalene (CAS No. 91-20-3) was requested in a notice published in the *California Regulatory Notice Register* on September 29, 2000 (Register 00, No. 39-Z.) A public forum was held on October 26, 2000. OEHHA has determined that naphthalene meets the criteria for listing under 22 CCR, Section 12306, and therefore is issuing a notice of intent to list naphthalene under Proposition 65. A document providing more detail on the basis for the listing of this chemical can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: <http://www.oehha.ca.gov/>. Anyone objecting to the listing of naphthalene as causing cancer on the basis

that there is no substantial evidence that the criteria for sufficiency of evidence as causing cancer specified in 22 CCR, Section 12306 have been satisfied should provide written comments in triplicate, along with supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita

Office of Environmental Health Hazard Assessment

Street Address: 1001 I Street

Sacramento, California 95814

Mailing Address: P.O. Box 4010

Sacramento, California 95812-4010

Fax No.: (916) 323-8803

Telephone: (916) 445-6900

Comments may also be hand-delivered to Ms. Oshita at the Office of Environmental Health Hazard Assessment at the same address.

**In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if delivered in person or sent by FAX) by 5:00 p.m. on Monday, November 19, 2001.**

The following chemical has been determined by OEHHA to meet the criteria set forth in 22 CCR, Section 12306 for listing as causing cancer under the authoritative bodies mechanism:

Chemical	CAS No.	Toxicological Endpoint	Reference
Naphthalene	91-20-3	Cancer	NTP (2000)

**REFERENCES**

National Toxicology Program (NTP, 2000). *Toxicology and Carcinogenesis Studies of Naphthalene (CAS No. 91-20-3) in F344/N Rats (Inhalation Studies)*. NTP Technical Report Series No. 500. NIH Publication No. 01-4434. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC.

**SUMMARY OF REGULATORY  
ACTIONS****REGULATIONS FILED WITH  
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.



**BOARD OF EDUCATION****California English Language Development Test**

This regulatory action is intended to clarify what is required of school districts in administering the California English Language Development Test.

**Title 5****California Code of Regulations**

ADOPT: 11510, 11511, 11511.5, 11512, 11512.5, 11513, 11513.5, 11514, 11516, 11516.5, 11517

Filed 10/04/01

Effective 11/03/01

Agency Contact: Peggy Peters (916) 657-4440

**BOARD OF GOVERNORS, CALIFORNIA****COMMUNITY COLLEGES****Retention and Destruction of Records**

This action amends regulations pertaining to the definition and classification of records of community college districts. This filing is exempt from the Administrative Procedure Act pursuant to Education Code section 70901.5 and is submitted to OAL for printing only and filing with the Secretary of State.

**Title 5****California Code of Regulations**

AMEND: 59020, 59022, 59023

Filed 10/10/01

Effective 11/09/01

Agency Contact:

Renee Brouillette (916) 322-4145

**BOARD OF PHARMACY****Disciplinary Guidelines**

This regulatory action incorporates by reference the new Disciplinary Guidelines, revised January 2001, related to the practice of pharmacy.

**Title 16****California Code of Regulations**

AMEND: 1760

Filed 10/03/01

Effective 11/02/01

Agency Contact:

Paul Riches (916) 445-5014 x4016

**CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY****Cedillo-Alarcon Community Clinic Investment Act 2000**

These emergency regulations implement the Community Clinic Investment Program setting forth the guidelines, criteria, and application process for the allocation of \$50 million to community, free and Indian clinics to expand or improve services to patients in need pursuant to AB 2875 (Chapter 99, Statutes of 2000) and Chapter 801, Statutes of 2000. In April 2001, the agency adopted regulations deemed to be emergency regulations if submitted to OAL by

July 1, 2001. They did not disburse all the money and are now adopting revised regulations and application forms for the second round of funding. Under Chapter 801, these emergency regulations will remain in effect for 360 days.

**Title 4****California Code of Regulations**

ADOPT: 7000, 7001, 7002, 7003, 7003.5, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7013.1, 7013.5, 7014, 7015, 7016, 7017  
REPEAL: 7000, 7001, 7002, 7003, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7014, 7015, 7016

Filed 10/09/01

Effective 10/09/01

Agency Contact: Sumi Sousa (916) 653-3839

**CALIFORNIA STATE UNIVERSITY****Summer Early Entrants**

The Board of Trustees of the California State University is amending section 40700 of title 5, California Code of Regulations, pertaining to matriculation and adopting section 40701 pertaining to summer early entrant. These changes are exempt from full review by the Office of Administrative Law pursuant to Education Code section 89030.1.

**Title 5****California Code of Regulations**

ADOPT: 40701 AMEND: 40700

Filed 10/04/01

Effective 10/04/01

Agency Contact:

Bruce M. Richardson (562) 951-4500

**DEPARTMENT OF BOATING AND WATERWAYS****Ban Certain Two-Stroke Vessel Engines on Lake Tahoe**

This action adopts in state law, a regulation banning the operation of certain 2-stroke powered watercraft in the Lake Tahoe region comparable to a ban implemented by the Tahoe Regional Planning Agency in 1999 for the purpose of protecting water quality.

**Title 14****California Code of Regulations**

ADOPT: 6595

Filed 10/04/01

Effective 10/04/01

Agency Contact: Mike Sotelo (916) 263-0787

**DEPARTMENT OF CONSERVATION****Application for Open Space Subvention Payment**

The Open Space Subvention Act was changed with the enactment of SB 649 (Costa) on January 1, 2000. This rulemaking action revises the forms used by counties to apply to the state for open space

subventions. Changes have been made to capture farmland security zone contracted land that is considered "urban" and meets the Williamson Act definition of "prime," to capture nonrenewal decade shift, to capture easement exchanges, to capture farmland security zone transfers from Williamson Act contracts, to capture parcel-by-parcel tabulation of farmland security zone acreage that has been under nonrenewal for more than ten years, and to capture parcel-by-parcel tabulation of enrollment acreage that has been cancelled pursuant to the Williamson Act Easement Exchange Program.

Title 14  
California Code of Regulations  
AMEND: 14111  
Filed 10/03/01  
Effective 10/03/01  
Agency Contact: Tim Bryant (916) 322-5955

DEPARTMENT OF FOOD AND AGRICULTURE  
Oak Mortality Disease Control

The regulatory action is the Certificate of Compliance for the emergency regulation that dealt with the control of Oak Mortality Disease. (Prior OAL File 01-0515-06E; Department of Food and Agriculture File PH 0114.)

Title 3  
California Code of Regulations  
ADOPT: 3700  
Filed 10/04/01  
Effective 10/04/01  
Agency Contact:  
Barbara J. Hass (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE  
Oriental Fruit Fly Interior Quarantine

The proposed emergency amendment would establish a quarantine for the Oriental fruit fly in the San Diego area.

Title 3  
California Code of Regulations  
AMEND: 3423(b)  
Filed 10/04/01  
Effective 10/04/01  
Agency Contact:  
Barbara J. Hass (916) 654-1017

DEPARTMENT OF SOCIAL SERVICES  
CalWORKs Sponsored Noncitizens

This Certification of Compliance amends provisions which require that the income of a person sponsoring a noncitizen be deemed to be that of the noncitizen, for purposes of CalWORKs.

Title MPP  
California Code of Regulations  
AMEND: 42-205, 43-119, 44-133

Filed 10/10/01  
Effective 10/10/01  
Agency Contact:  
Anthony J. Velasquez (916) 657-2586

DEPARTMENT OF THE YOUTH AUTHORITY  
Restitution Deductions from Trust Account Deposits

This rulemaking clarifies that court-ordered victim restitution and restitution fine deductions from trust account deposits applies to all wards or inmates committed to, or housed in, a Youth Authority facility.

Title 15  
California Code of Regulations  
AMEND: 4720.1  
Filed 10/04/01  
Effective 11/03/01  
Agency Contact: Karen Thomas (916) 263-1437

FAIR POLITICAL PRACTICES COMMISSION  
Legal Defense Funds and Return of Contributions

This regulatory action adopts two new regulations pertaining to Legal Defense Funds and Return of Contributions with Insufficient Donor Information.

Title 2  
California Code of Regulations  
ADOPT: 18530.4, 18570  
Filed 10/09/01  
Effective 11/08/01  
Agency Contact:  
Holly Armstrong (916) 322-5660

FAIR POLITICAL PRACTICES COMMISSION  
Treatment of Debts Outstanding after an Election

The Fair Political Practices Commission is adopting the captioned section pertaining to treatment of debts outstanding after an election. The Office of Administrative Law has filed the above regulatory action with the Secretary of State in accordance with the decision of the Third District Court of Appeal in *Fair Political Practices Commission v. Office of Administrative Law, et al.*, 3 Civil CO 10924, dated April 27, 1992.

Title 2  
California Code of Regulations  
ADOPT: 18531.6  
Filed 10/04/01  
Effective 11/03/01  
Agency Contact:  
Holly Armstrong (916) 322-5660

FISH AND GAME COMMISSION  
Waterfowl

This regulatory action amends the regulations pertaining to the hunting of migratory waterfowl; prohibits the use of electronic or mechanically operated spinning blade devices or spinning wing decoys; and amends the list of nontoxic shot.

**Title 14**

California Code of Regulations

AMEND: 502,507(c) and 507.1

Filed 10/03/01

Effective 10/06/01

Agency Contact: John M. Duffy (916) 653-4899

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM****Health Plan Subscriber Eligibility**

This emergency regulatory action permits employees to subscribe to a health plan which covers a restricted geographic area whether or not the employee lives in that area.

**Title 2**

California Code of Regulations

AMEND: 599.502, 599.508

Filed 10/04/01

Effective 10/04/01

Agency Contact: Judy Daggao (916) 326-3007

**SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION****San Francisco Bay Plan Amendments**

This action creates a new policy section in the San Francisco Bay Plan entitled Navigational Safety and Oil Spill Prevention and modifies certain findings and policies in the Dredging, Recreation, Transportation, and Safety of Fills policy sections regarding navigational safety and oil spill prevention. The policies address physical obstructions to safe navigation, oil spill contingency plan requirements, surveys of major shipping channels, turning basins, and berths used by deep draft vessels and oil barges, navigational safety as a purpose for dredging, education of recreational boaters on shipping lanes, use of the Bay for transportation, and inspections of marine petroleum terminal fills and structures. This action is effective upon approval by OAL pursuant to Government Code Section 11354.1(d)(5).

**Title 14**

California Code of Regulations

AMEND: 11900

Filed 10/03/01

Effective 10/03/01

Agency Contact:

Nicholas Salcedo (415) 352-3641

**STATE WATER RESOURCES CONTROL BOARD****Amendment to San Diego Basin Plan to add and remove COLD and SPWN beneficial use designations**

Regional Board Resolution No. 97-04 adopted on March 12, 1997, by the San Diego Regional Water Quality Control Board, modifies the regulatory provisions of the Water Quality Control Plan for the

San Diego Region by: (1) revising the beneficial use definition for "Spawning, Reproduction, and/or Early Development (SPWN)," (2) designating the SPWN beneficial use in 76 water body segments, (3) designating the "Cold Freshwater Habitat (COLD)" beneficial use in 55 water body segments, and (4) deleting the COLD beneficial use designation from 68 water body segments.

**Title 23**

California Code of Regulations

AMEND: 3988

Filed 10/09/01

Effective 10/09/01

Agency Contact: Greg Frantz (916) 341-5553

**CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN JUNE 06, 2001 TO OCTOBER 10, 2001**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

06/20/01 ADOPT: 125.5 AMEND: 121, 122, 123, 124, 125, 126, 127, 128

**Title 2**

10/09/01 ADOPT: 18530.4, 18570  
10/04/01 AMEND: 599.502, 599.508  
10/04/01 ADOPT: 18531.6  
09/17/01 ADOPT: 549.90  
09/14/01 ADOPT: 58100  
09/10/01 ADOPT: Ch. 16, Sec. 37000  
08/29/01 AMEND: 7286.0  
08/21/01 AMEND: Ch. 52, Sec. 54100  
08/20/01 AMEND: Ch. 85, Sec. 57400  
08/16/01 ADOPT: 1896.300, 1896.310, 1896.320, 1896.330, 1896.340, 1896.350, 1896.360, 1896.370  
08/02/01 AMEND: 554, 554.3, 554.4, 554.6, 554.7, 554.8, 554.9, 554.10  
07/25/01 ADOPT: 1859.22, 1859.73.2, 1859.74.3  
AMEND: 1859.2, 1859.21, 1859.50, 1859.70, 1859.73.1, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, 1859.107  
07/19/01 ADOPT: Ch. 95, section 58400  
07/17/01 ADOPT: 18536

07/12/01 REPEAL: 18416  
 07/10/01 REPEAL: 18215.2  
 07/02/01 AMEND: 3430(b)  
 06/27/01 ADOPT: 549.80  
 06/26/01 AMEND: 18406, 18427.1, 18723, 18960  
 06/25/01 ADOPT: 18539, 18539.2, 18550  
 06/19/01 ADOPT: 18421.4, 18542  
 06/13/01 AMEND: 1859.2, 1859.20, 1859.21,  
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 1859.78.2, 1859.78.3, 1859.79.1,  
 1859.79.3, 1859.81, 1859.81.1, 1859.82  
 06/12/01 ADOPT: 1139

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10/04/01 AMEND: 3423(b)  
 10/04/01 ADOPT: 3700  
 09/07/01 AMEND: 3406(b)  
 09/06/01 AMEND: 3591.12(a)  
 08/29/01 AMEND: 3591.13(a)  
 08/07/01 AMEND: 3423(b)  
 07/24/01 AMEND: 3591.2  
 07/24/01 AMEND: 6400  
 07/11/01 ADOPT: 3650, 3651, 3652, 3654, 3655,  
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 07/06/01 ADOPT: 3661, 3662, 3663 AMEND:  
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 06/27/01 AMEND: 6450.2, 6450.3  
 06/20/01 AMEND: 6100, 6102, 6110, 6116, 6118,  
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 06/15/01 ADOPT: 1301, 1301.1, 1301.2, 1301.4,  
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10/09/01 ADOPT: 7000, 7001, 7002, 7003, 7003.5,  
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 08/30/01 AMEND: 4300, 4304, 4307  
 08/13/01 ADOPT: 8090, 8091, 8092, 8093, 8094,  
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 07/26/01 AMEND: 8034, 8070, 8072 REPEAL:  
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10/10/01 AMEND: 59020, 59022, 59023  
 10/04/01 ADOPT: 40701 AMEND: 40700

10/04/01 ADOPT: 11510, 11511, 11511.5, 11512,  
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 08/22/01 AMEND: 58305  
 08/13/01 ADOPT: 30007, 30008, 30009, 30023,  
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 08/02/01 AMEND: 1032  
 08/01/01 AMEND: 700, 701, 702, 704  
 08/01/01 AMEND: 18600  
 07/05/01 ADOPT: 30951.1, 30959 AMEND:  
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 06/28/01 ADOPT: 18400, 18405, 18406, 18407,  
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 06/15/01 AMEND: 80026, 80027  
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 06/11/01 ADOPT: 1031, 1032, 1032(i), 1033,  
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09/27/01 AMEND: 3469  
 09/26/01 AMEND: 2943  
 09/06/01 AMEND: 50, 55, 104  
 09/05/01 AMEND: 4296  
 08/27/01 AMEND: 2320.2(a), 2941(f)  
 08/23/01 ADOPT: 11.5, 118, 119 AMEND: 1  
 08/23/01 ADOPT: 11, 13, 14, 100  
 08/10/01 AMEND: 5157  
 08/03/01 AMEND: 5193  
 08/01/01 AMEND: 15251(a)(1)  
 07/25/01 AMEND: 1710, 4999  
 07/18/01 AMEND: 10169  
 07/12/01 AMEND: 43, 44, 45, 46, 47, 70, 71, 72,  
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 07/02/01 AMEND: 1714, 1715  
 06/25/01 AMEND: 1662(j)  
 06/19/01 AMEND: 1504, 3622  
 06/13/01 AMEND: 5189(n)



06/13/01 ADOPT: 34050, 34055, 34060, 34065, 51720 AMEND: 32001, 32050, 32155, 32700, 32720, 32721, 32990, 32991, 34020, 34030, 34040, 40178, 40400, 40410, 40420, 51700, 51710, 51730 REPEAL: 34000, 34010

06/11/01 ADOPT: 32015, 32016, 32325, 32603, 32604, 60000, 60010, 60020, 60030, 60035, 60040, 60050, 60060, 60070, 61000, 61005, 61010, 61020, 61030, 61040, 61050, 61055, 61060, 61065, 61070, 61072, 61075, 61080, 61090, 61100, 61105, 61110, 61115, 61120, 61125

06/11/01 AMEND: 5209(d)(2)(B)(C)(D)

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08/29/01 ADOPT: 3093.60 AMEND: 3000, 3001, 3009, 3093, 3093.1, 3093.2, 3093.3, 3093.4, 3093.5, 3093.6, 3093.7, 3093.8, 3093.9, 3093.10, 3093.11, 3093.12, 3093.13, 3093.14, 3093.15, 3093.16, 3093.17, 3093.18, 3093.19, 3093.20, 3093.21, 3093.22, 3093.23, 3093.24

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08/17/01 ADOPT: 9500, 9505, 9510, 9515, 9517, 9520, 9525, 9530, 9532, 9533, 9535, 9540, 9545

06/28/01 AMEND: 7050, 7051, 7053, 7054, 7056, 7057

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10/02/01 AMEND: 2248.30, 2248.31, 2248.32, 2248.33, 2248.34, 2248.39, 2248.40, 2248.41, 2248.42, 2248.43, 2248.45, 2248.47 REPEAL: 2248.48

09/25/01 ADOPT: 2130, 2130.1, 2130.2, 2130.3, 2130.4, 2130.5, 2130.6, 2130.7, 2130.8

09/17/01 ADOPT: 5904.1, 5906 AMEND: 5900, 5901, 5903, 5904, 5905

09/17/01 ADOPT: Chapter 5, Subchapter 1, Article 9, section 2192.1 et seq.

09/13/01 ADOPT: 2393, 2394, 2395, 2396, 2397, 2398

09/04/01 ADOPT: 2278, 2278.2, 2278.3, 2278.4, 2278.5

09/04/01 ADOPT: 2182.1, 2182.2, 2182.3, 2182.4, 2182.5

08/30/01 ADOPT: 260.102.19, 260.140.41, 260.140.42, 260.140.45, 260.140.46

08/17/01 ADOPT: 4083, 4083.1, 4083.2, 4083.3, 4083.4, 4083.5

08/07/01 ADOPT: 5354.1 AMEND: 5350, 5354, 5355, 5356

07/30/01 ADOPT: 260.402

07/20/01 ADOPT: 5359, 5359.1, 5359.2, 5359.3, 5359.4, 5359.5, 5359.6, 5359.7

07/05/01 ADOPT: 1741.6

06/19/01 ADOPT: 2498.6

06/13/01 ADOPT: 2187.3 AMEND: 2186.1, 2187.1, 2187.2, 2188, 2188.2, 2188.3, 2188.2, 2188.5, 2188.6, 2188.8, 2188.9

06/11/01 ADOPT: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8

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09/26/01 ADOPT: 977.10, 977.15, 977.20, 977.30, 977.30, 977.31, 977.32, 977.33, 977.34, 977.35, 977.36, 977.40, 977.41, 977.42, 977.43, 977.44, 977.45, 977.46, 977.47, 977.48, 977.49, 977.50, 977.51, 977.55, 977.60, 977.70, 977.71, 977.80, 977.85, 977.90

08/16/01 AMEND: 1005

08/02/01 AMEND: 1005(c)

07/17/01 ADOPT: 1070, 1071, 1082 AMEND: 1001, 1052, 1053, 1055

07/17/01 AMEND: 1007

07/12/01 AMEND: 1019

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08/29/01 AMEND: 2263

08/20/01 ADOPT: 2262.9 AMEND: 2260, 2261, 2262.3, 2262.5, 2263, 2264, 2265, 2266, 2266.5, 2270, 2272, 2273, 2282, 2296, 2297

07/25/01 AMEND: 110.04, 115.01

07/25/01 ADOPT: 2065 AMEND: 1956.8

07/03/01 ADOPT: 1231.5, 1234.5, 1270.3 AMEND: 1256, 1270

06/26/01 ADOPT: 80.00, 80.25 AMEND: 80.50, 80.55, 80.60, 80.65, 80.70, 80.75, 80.90

06/22/01 ADOPT: 125.00, 125.06, 125.12, 125.16, 125.18, 125.20, 125.22, AMEND: 100.91, 100.93, 100.92, 100.94, 100.95

06/13/01 AMEND: 350.02, 350.03, 350.04, 350.06, 350.16, 350.20, 350.22, 350.24, 350.28, 350.34, 350.36, 350.38, 350.40, 350.44, 350.46, 350.48, 350.50

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10/04/01 ADOPT: 6595

10/03/01 AMEND: 502, 507(c), 507.1

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09/25/01 AMEND: 1038

09/24/01 ADOPT: Section 159 REPEAL: Section 148

09/24/01 ADOPT: 17367, 17368, 17369, 17370.1, 17370.2, 18225

09/18/01 AMEND: 150.16

09/17/01 AMEND: 17943

09/17/01 AMEND: 790, 791, 791.7, 795, 796, 797, Forms 1924, 1925, 1929, 1930, 1946, 1947, 1962, 1972



09/04/01 AMEND: 13040  
 09/04/01 AMEND: 851.1, 851.4, 851.5.1, 851.6,  
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 08/28/01 AMEND: 120.01  
 08/23/01 ADOPT: 749.1  
 08/23/01 AMEND: 150.16  
 08/13/01 ADOPT: 17402.5 (c)(6), 17402.5(d)(3)  
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 08/01/01 AMEND: 27.85  
 07/24/01 AMEND: 311, 354  
 07/16/01 ADOPT: 851.27.1 AMEND: 851.20,  
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 07/02/01 ADOPT: 5104, 5170, 5171, 5172, 5173,  
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 06/28/01 ADOPT: 10720, 10721, 10726, 10727,  
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 06/26/01 AMEND: 18755(g), 18757(e), 18776(e),  
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 06/18/01 ADOPT: 8.20 AMEND: 5.86  
 06/18/01 AMEND: 14ccr 1038 by adopting subsec-  
 tion (g)  
 06/18/01 ADOPT: 150.03  
 06/11/01 AMEND: 2200

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10/04/01 AMEND: 4720.1  
 09/20/01 AMEND: 4695  
 08/16/01 AMEND: 4900  
 08/15/01 AMEND: 4900, 4944(a)(b), 4952  
 08/06/01 AMEND: 3135, 3230, 3338  
 07/30/01 AMEND: 3338  
 07/25/01 ADOPT: 4945.5 AMEND: 4927, 4963,  
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 07/03/01 AMEND: 3369.5  
 06/28/01 AMEND: 2513(e), 2616(a)(8),  
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10/03/01 AMEND: 1760  
 09/27/01 AMEND: 1399.157(b)  
 09/19/01 AMEND: 89.1 REPEAL: 55  
 09/19/01 AMEND: Section 1419.3  
 09/13/01 ADOPT: 980.1 AMEND: 974  
 09/10/01 AMEND: 3340.42  
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 09/07/01 AMEND: 1399.170.13  
 09/05/01 AMEND: 3008  
 08/24/01 AMEND: 1386 REPEAL: 1383, 1383.1,  
 08/24/01 ADOPT: 4000, 4001, 4010, 4012, 4013,  
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 08/23/01 AMEND: 1715

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 08/13/01 AMEND: 1388(f)  
 08/01/01 AMEND: 1717.3  
 07/20/01 AMEND: 310.2  
 07/19/01 AMEND: 367.9(b)(2)  
 07/12/01 AMEND: 1807  
 07/11/01 AMEND: 1381.4, 1388  
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 07/03/01 AMEND: 1399.696  
 07/02/01 ADOPT: 355.2  
 06/22/01 ADOPT: 1775.15 AMEND: 1775, 1775.2  
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 06/20/01 AMEND: 1399.417, 1399.419, 1399.443,  
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 06/11/01 AMEND: 1399.101, 1399.102, 1399.105,  
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 06/07/01 AMEND: 2649  
 06/07/01 AMEND: 1399.511, 1399.556  
 06/06/01 AMEND: 1444

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09/06/01 AMEND: 94011  
 08/28/01 AMEND: 54302, 56002  
 08/20/01 ADOPT: 80156, 80157, 80158 AMEND:  
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 07/19/01 ADOPT: 33001, 33002, 33003, 33004,  
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 07/16/01 AMEND: 93106  
 07/12/01 AMEND: 57310, 57332, 57530  
 06/27/01 ADOPT: 54327.2 AMEND: 54302,  
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09/20/01 AMEND: 1574  
 09/17/01 AMEND: 23101.5

09/13/01 AMEND: 1705.1  
 08/08/01 AMEND: 1699  
 08/01/01 AMEND: 1684  
 06/11/01 AMEND: 5021, 5022, 5031, 5032, 5033, 5034, 5035, 5036, 5041, 5042, 5070, 5072, 5073, 5074, 5074.5, 5075, 5076, 5077, 5078, 5080, 5082, 5083, 5085, 5087, 5092  
 06/07/01 AMEND: 469  
 06/06/01 AMEND: 5020, 5023, 5030, 5043, 5051, 5053, 5063, 5071, 5075.1, 5076.1, 5079, 5081, 5081.2, 5090, 5091, 5094, 5095  
 06/06/01 AMEND: 468  
 06/06/01 AMEND: 1668  
 06/06/01 ADOPT: 2240, 2241, 2242, 2250, 2255  
 06/06/01 AMEND: 473  
 06/06/01 AMEND: 1620

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07/09/01 AMEND: Rule 17.1(d)(2)

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 09/24/01 ADOPT: 110250, 110374, 117016, 117019, 117021, 117025, 117030, 117036, 117042, 117047, 117049, 117052, 117054, 117064, 117074, 117080, 117083, 117085, 117089, 117091, 117094, 117200, 117300, 117301, 117302, 117303, 117400, 117401, 117402, 117403  
 09/19/01 ADOPT: 123000  
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 09/06/01 ADOPT: 111900, 111910, 111920, 121100, 121120, 121140  
 09/05/01 ADOPT: 51224.5 AMEND: 51051, 51200, 51104  
 09/04/01 ADOPT: 110413, 110550, 113100, 113200, 113300  
 08/27/01 ADOPT: 66272.60, 66272.61, 66272.62, 66272.63, 66272.64, 66272.65, 66272.66, 66272.67, 66272.68, 66272.69  
 08/24/01 AMEND: 64451(c), 64819(a)(4)

08/15/01 AMEND: 51516.1  
 08/09/01 AMEND: 311-1  
 08/03/01 ADOPT: 66273.6, 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.88, 66273.89, 66273.90 AMEND: 66261.9, 66273.1, 66273.8, 66273.9  
 07/06/01 ADOPT: 68200, 68201, 68202, 68203, 68204, 68205, 68206, 68207, 68208, 68209, 68210, 68211, 68212, 68213  
 06/26/01 ADOPT: 66261.9, 66273.1, 66273.2, 66273.4, 6273.5, 66273.8, 66273.9, 66273.10, 66273.11, 66273.12, 66273.13, 66273.14, 66273.15, 66273.16, 66273.17, 66273.18, 66273.19, 66273.20, 66273.30, 66273.31, 66273.32, 66273.33, 66273.34, 66273.35, 66273.36  
 06/25/01 ADOPT: 68300, 68301, 68302, 68303, 68304, 68305, 68306, 68307, 68308, 68309  
 06/20/01 ADOPT: 4400(hh), 4400(ii) AMEND: 4400(ee), 4409, 4420  
 06/14/01 ADOPT: 100901, 100902, 100903, 100904, 100904.5 AMEND: 100900  
 06/11/01 AMEND: 12000

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09/24/01 ADOPT: 87701.1, 87716.1 AMEND: 87101, 87102, 87570, 87575, 87575.1, 87701, 87701.1, 87702, 87716, 87124.1, 87721  
 09/19/01 AMEND: 87564.3, 87730  
 09/06/01 ADOPT: 35333, 35334 AMEND: 35001, 35013, 35067, 35177, 35179, 35211, 35325, 35326, 35337, 35339, 35341, 35343, 35344, 35351, 11-401, 45-803 REPEAL: 35333  
 07/27/01 ADOPT: 80055.1, 87054, 87055.1, 87855.1, 88046, 101198.1, 102395, 102402.1 AMEND: 80054, 87454, 87854, 101195  
 06/29/01 AMEND: 80018, 80027, 80029, 80034, 80036, 83017, 87001, 87017, 87027, 87029, 87034, 87036, 87044, 87045, 87101, 87218, 87224, 87230, 87235, 87340, 87834, 89019, 89043 REPEAL: 80032, 80033, 80041, 83032, 87032, 87033, 87041, 87233, 87234  
 06/26/01 ADOPT: 111000, 110042, 110046, 110088, 110099, 110109, 110129, 110135, 110147, 110148, 110150, 110164, 110182, 110184, 110186, 110194, 110200, 110220, 110224, 110230, 110252, 110261, 110289, 110341, 110410, 110431, 110436, 110445, 110456, 110474, 110478

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10/09/01 AMEND: 3988  
 07/26/01 ADOPT: 3870, 3871, 3872, 3873, 3874,  
 3875, 3876, 3877, 3878, 3879, 3880  
 07/09/01 ADOPT: 3004  
 06/28/01 AMEND: 3976

**Title 25**

07/17/01 AMEND: 8211

**Title 27**

07/11/01 AMEND: 15250, 15290  
 06/25/01 AMEND: 15240

**Title 28**

08/31/01 ADOPT: 1300.75.4, 1300.75.4.1,  
 1300.75.4.2, 1300.75.4.3, 1300.75.4.4,  
 1300.75.4.5, 1300.75.4.6  
 06/26/01 ADOPT: 1300.68.2 AMEND: 1300.67

**Title MPP**

10/10/01 AMEND: 42-205, 43-119, 44-133  
 10/01/01 AMEND: 63-102, 63-300, 63-301, 63-  
 402, 63-405, 63-501, 63-502, 63-503,  
 63-504, 63-507  
 09/17/01 ADOPT: 49-101, 49-105, 49-110, 49-115,  
 49-120, 49-125  
 09/10/01 AMEND: 42-710.1, 42-710.2, 42-710.3,  
 42-711.9, 42-716.11, 63-407.2, 63-407.5  
 08/30/01 AMEND: 42-702, 42-716, 44-111  
 08/10/01 ADOPT: 63-016 AMEND: 63-102, 63-  
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 06/25/01 AMEND: 44-314, 82-518

